

**CASCADE COUNTY
ZONING BOARD OF ADJUSTMENT**

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Meeting Minutes
Thursday February 14, 2019
9:00 AM
Room #105, Courthouse Annex
Cascade County Commissioners Chambers

Board Members: Bill Austin, Charles Kuether, Leonard Reed, Rob Skawinski, Michele Levine

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated in red, within each agenda item below, and will direct you to the precise location should you wish to review the audio segment.

These minutes are paraphrased and reflect the proceedings of the Zoning Board of Adjustment. These minutes are considered a draft until the Zoning Board of Adjustment approves them.

STAFF ATTENDEES: Michael Stone, Sandor Hopkins, and Destiny Gough

PUBLIC ATTENDEES: George Nilsen, Jenn Rowell, Jolene Schapler, Kasey Herman, Margret Filipowicz, Paul Leach, Sophia Sparklin, Tom Skodg, and Ian Payton

1. **CALL TO ORDER:** VICE CHAIRMAN MICHELE LEVINE CALLED THE MEETING TO ORDER AT 9:05 AM
2. **ROLL CALL**
BOARD MEMBERS PRESENT: Leonard Reed, Michele Levine, Charles Kuether, and Rob Skawinski
BOARD MEMBERS ABSENT: Bill Austin
3. **APPROVAL OF MINUTES: JANUARY 24, 2019**
Leonard Reed motion to approve
Rob Skawinski seconded the motion
All in favor; motion carries 4-0
4. **OLD BUSINESS: NONE**

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Total Pages: 5 R 0 00 By: mbruner 03/29/2019 09:22:53 AM
Cascade County, Rina Ft Moore - Clerk & Recorder



5. NEW BUSINESS:

A. SUP 001-2019, CBD Oil Commodity Processing Facility

1. Staff Report: Michael Stone

Motions:

The following motions are provided for the board's consideration:

A. **Alternative 1:** Move the Special Use Permit to allow a Value-added Agricultural Commodity Processing Facility on parcel# 006171500, geocode 02-3135-34-3-01-07-0000 **be denied.**

OR

B. **Alternative 2:** Move the board to adopt the staff report; and move the Special Use Permit to allow a Value-added Agricultural Commodity Processing Facility on parcel# 006171500, geocode 02-3135-34-3-01-07-0000, **be approved.**

2. Board Discussion & Action

Michele Levine (0:23:17) opens the board up for discussion.

Michele Levine (0:23:26) asks Michael Stone for any additional information about noise disturbance, fumes, or any nuisances regarding the facility as well as any other permits needed for the facility.

Michael Stone (0:23:35) states in the Use Statement form the advocate indicates that the facility does not anticipate any nuisances of that sort.

Public Hearing opened 9:29 AM

Michele Levine asked for proponents: one (1) plus one (1) written Proponent by Richard D. Liebert (289 Boston Coulee Road)

Jolene Schapler from Great Falls Development Authority (0:24:26) states that she is in favor of having the CBD Oil Commodity Processing Facility as it will allow for added agricultural value. She also says that it will create more job opportunities as well as aide small businesses and the local economy. She concludes by saying that Great Falls Development Authority is looking forward to the future of this project and what it will bring to our community.

Board Discussion

Michele Levine (0:26:52) asks Paul Leach for a status on and a description of the federal permits that are required.

Paul Leach from 65 Aoans Rd. Sun River, MT. (0:27:06) says to buy a lot of property in the city you must purchase a commodity license for anything that is over thirty thousand dollars' worth (\$30,000.⁰⁰). They are getting the application to buy a commodity conformance license. Other than that, they have everything else that is required of them.

Michele Levine (0:27:30) asks Paul Leach if there are any required special permits for industrial hemp.

Paul Leach (0:27:34) no.

Michele Levine called for opponents: none

Public Hearing closed at 9:34 AM

Board Discussion and Decision

Leonard Reed (00:28:15) asks what was on the property before it was purchased by Leach.

Paul Leach (0:28:24) says the property primarily had a small Cenex farming store in the 1970-1980's. Then, the property had an automobile store/shop and a small restaurant. At one point, someone tried to build a couple of windmills on the property.

Charles Kuether (0:29:05) asks Leach about the distribution of the product after it is processed.

Paul Leach (0:29:05) says two (2) semi-loads a week of hemp will be processed. The CBD isolate will be taken out of the hemp and the remnant bio mass will be disposed. In the future they hope to use the remnant bio mass as added value. The CBD isolate product will be shipped out and sold in kilos to other states, where they will then transform the CBD isolate into hemp oil.

Michele Levine (0:30:47) asks Leach if they are looking at selling the end-product, hemp oil, down the road. She also asks if the remnant bio mass will be stored in barrels, and if there will be any plants on site.

Paul Leach (0:30:50) says that they are not looking at development or selling the end-product currently. They will be storing the remnant bio mass in barrels, and there will be no plants on-site being grown. Everything should come to the site processed, and they only need the flowers for production.

Charles Kuether motions for approval.

Leonard Reed seconds the approval.

Motion carries 4-0.

B. Public Hearing: Montana FWP Region 4, Quarters Expansion

1. Staff Report: Michael Stone

2. Board Discussion & Action

Michele Levine (0:35:52) opens the board up for discussion.

Board hearing: none

Public Hearing opens at 9:42 AM

Sophia Sparklin from 410 Central Ave. Great Falls MT. #506 (0:36:09) says that she is from Sparks Architecture and that she is here to represent Montana Fish, Wildlife, and Parks. She states that they are proposing a new office building for Fish, Wildlife, and Parks for their staff.

Margret Filipowicz office manager for Montana Fish, Wildlife, and Parks (30:6:09) says that the current office space is outgrown. Montana Fish, Wildlife, and Parks needs an additional building to contain everyone in their office.

Leonard Reed (00:28:15) asks where the location of the new building will be as well as if it will be similar in architectural design.

Sophia Sparklin (0:36:09) says the proposed building will be similar in design to the current existing building. The proposed building will be adjacent to the current building and set in part of the parking lot. The parking lot will also be expanded.

Michele Levine called for proponents: none

Michele Levine called for opponents: none

Board Discussion

Charles Kuether (0:40:25) asks if the board's mandate is to allow public forum and input and not to consent or approve the project.

Michele Levine (0:40:39) says that assumption is correct. Under Montana Code Annotated 76-2.402, board members are to hold a public hearing, but have no power to deny the proposed use.

Charles Kuether (0:41:05) asks if there are any other comments.

Michael Stone (0:41:07) says that he received a public comment about concern over a preexisting utility easement. The current proposed building site is on the far west side of the lot. On the east side of the lot, there is a water utility easement that extends to the Giant Springs Water Company in an I-2 Zoning District. However, the only thing that is in proximity to the water company is the drain field, and it does not overlap the building site. Overall, the utility easement concern has been resolved and is no longer an issue.

Public Hearing closed at 9:48 AM

6. PUBLIC COMMENTS REGARDING MATTERS WITHIN THE ZONING BOARD OF ADJUSTMENTS'S JURISDICTION: NONE

7. BOARD MATTERS:

Leonard Reed (00:42:33) commends the Montana Fish, Wildlife, and Parks building.

8. ADJOURNMENT:

Michele Levine made a Motion to adjourn

Leonard Reed seconded the Motion

All in favor, meeting adjourned at 09:49 AM

Michele R. Levine
Chairman or Vice Chairman
(Print)

Michele R. Levine
Signature

March 28, 2019
Date

Sander Hopkins
Planning Staff (Print)

[Signature]
Signature

3-28-2019
Date